

United States Bankruptcy Court  
Southern District of New York  
Manhattan Division

---

In Re RESIDENTIAL CAPITAL, LLC, et al,	)	
Debtors	)	Chapter 11
	)	
	)	<u>Debtor Case No. 12-12020-MG</u>
	)	(consolidated)

---

**OPPOSITION TO MOTION[#8574] FOR PARTIAL RECONSIDERATION**

Comes now RHONDA GOSSELIN, by and through her attorney Laird J. Heal, Esq., and respectfully offers her objection to the Motion for Partial Reconsideration[#8574].

1. Paragraph 7 of the Motion[#8574] states that the Court entered its Order[#8516] on April 21, 2015. This is the order which the Motion[#8574] is seeking relief from.
2. Paragraph 8 of the Motion[#8574] states that the “Borrower Trust”[sic] files the motion[#8574] “pursuant to Bankruptcy Rule 9023.
3. Rule 9023 “New Trials; Amendment of Judgments” refers to Rule 59, F.R.Civ.P<sup>1</sup>, but emphasizes that Rule 9023 allows relief within 14 days of the entry of judgment. Local Rule 9023-1 also limits a motion for reargument to the same 14 day period, although it does allow answers within the same period as the original pleading. Thus, an opposition to this Motion[#8574] would be allowable at any time until June 6, 2015, under this rule, allowing 30 days as for after the Seventy-Fifth Omnibus Objection[#7552]<sup>2</sup>. However, 14 days after April 21, 2015,

---

<sup>1</sup> Under Rule 59 of the Federal Rules of Civil Procedure, such a motion is allowed for 28 days after the entry of the judgment.

<sup>2</sup> The Opposition[#7652] was actually filed at three minutes after midnight on October 18, 2014, after some technical issues,

elapsed on May 5, 2015, this Motion[#8574] is untimely.

WEHREFORE, Rhonda Gosselin, creditor, asks that the Motion[#8574] be dismissed as untimely, and for such other and further relief as the Court should find merited in the interests of justice.

Dated: May 20, 2015

Respectfully Submitted for  
Rhonda Gosselin

*Counsel to Rhonda Gosselin*

/s/ Laird J. Heal

Laird J. Heal, Esq. BBO# 553901  
120 Chandler Street, Suite 2 R  
Worcester, MA 01609  
508-459-5095  
508-459-5320 facsimile  
LairdHeal@LH-Law-Office.com

Dated: May 20, 2015

CERTIFICATE OF SERVICE

I hereby certify that immediately upon receipt of the Notice of Electronic Filing, I will immediately cause service of the within included Motion to Extend Time by first class mail, together with this Certificate of Service, upon any party not shown here as receiving electronic service, namely:

***By Electronic Service***

Gary S. Lee  
Norman S. Rosenbaum  
Jordan A. Wishnew  
Jessica J. Arett  
MORRISON & FOERSTER LLP  
1290 Avenue of the Americas  
New York, New York 10104

***By First-Class Mail***

/s/ Laird J. Heal  
Laird J. Heal